

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

To: James A. Drach, Clerk
Office of the Clerk of Court
Post Office Box 1920
102 U.S. Courthouse
617 State Street
Erie, PA 16501

SAMUEL MENDEZ
NO.CY-7322
SRCP-MERCER
801 BUTLER PIKE
OCT. 13, 2005

(And to.)

SCANNED

TO: The Honorable SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
17 SOUTH PARK ROW, ROOM A280
ERIE, PA 16501

Re: C.A. No. 05-35 ERIE
HE RECEIVED NO Doc.#16

Dear Judge Baxter,

On the date of OCT. 11, the 2005 year of our Lord, you set forth an order directing me to file a response to the MOTION TO DISMISS allegedly filed in this case(no date given)by the defendants. That I am not able to comply with your aforesaid Court Order because at no time have I been given a copy of the alleged MOTION TO DISMISS filed by the defendants. Even in your order, you failed to set forth the date in which this MOTION TO DISMISS WAS FILED. This being true I would be very appreciative if you would order that I be given a copy of the allegedly filed MOTION TO DISMISS filed by the defendants and then I can file a response.

That at no time has the defendants or the Court supplied me with a copy of said MOTION TO DISMISS.

WHEREFORE, this letter and its request is submitted in good faith and for a valid cause of action, and I hope to hear from you real soon.

Respectfully/S/


PLAINTIFF